

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

**Mark A. Fielder,**

**Plaintiff,**

**vs.**

**Case No. 2:08-cv-310**

**Commissioner of Social Security,**

**Judge Michael H. Watson**

**Defendant.**

**ORDER**

On July 21, 2009, the United States Magistrate Judge issued a *Report and Recommendation* recommending that the decision of the Commissioner be reversed and that this action be remanded to the Commissioner for further consideration of plaintiff's credibility. The parties were specifically advised of their right to object to the *Report and Recommendation* and of the consequences of their failure to do so. There has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is hereby **ADOPTED** and **AFFIRMED**. The decision of the Commissioner is **REVERSED**. This action is hereby **REMANDED** to the Commissioner for further consideration of plaintiff's credibility.

The Clerk shall enter **FINAL JUDGMENT** pursuant to Sentence 4 of 42 U.S.C. §405(g).

  
Michael H. Watson, Judge  
United States District Court